

ADAMS, RICHARD C. ET AL.

BRANCH OFFICE

DIVISION

PAT. PROC. NO.

TECH. CAT. NO.

CASE NO.

79628

SSC SD-328

PAL

TITLE

DEVICE FOR SIMULTANEOUS TRANSMISSION OF SIGNALS WITH IDENTICAL FREQUENCY

SERIAL NO. 09/295,958

FILED 21 Apr 99
PATENTEDALLOWED
D-10 ISSUED

INVENTOR(S)

ADAMS, RICHARD C. CODE D856

HUNT, BARRY CODE D7303

CONTRACTOR(S), CONTRACT NO.(S), ADDRESS

NONE

DISCLOSURE RECEIVED 7 OCT 98

LICENSE OR ASSIGNMENT:

PAPERS EXECUTED

EXECUTED

FILING FEE PAID

RECORDED

FINAL FEE PAID

FRAME

REMARKS

ATTORNEY OF RECORD

ASSOCIATE ATTORNEY

PREPARED BY

DIVISION OF CASE NO.

PARENT OF CASE NO.

CONTINUATION-IN-PART OF CASE NO.

NAVY PATENT CASE CARD NAVSO 5870/5 (11-80) (NAVONR) S/N 0104-LF-908-7025
Formerly NAVEXOS 2677 (11-60)

GPB CASE NO. 11-

NC # ORDERED

NC # ASSIGNED

NC # RECEIVED

EVALS FWD'D

" COMPLETE

Search Approved 7 Jan 99

" Request Funded 18 Jan 99

" Request Funded 1 Mar 99

Auth for Filing PRT 21 Apr 99

Application Funded 21 Apr 99

" Filed 21 Apr 99

Initial Awarded 26 Apr 99

SN 0104-LF-908-7025

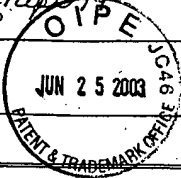
*U.S. Government Printing Office: 1990-704-010/00988 2-1

BEST AVAILABLE COPY

RECEIVED

JUL 01 2003

OFFICE OF PETITIONS



PAL

OFFICE NCCOSC RDT&E DIV., SAN DIEGO

SERIAL NO. 09/295 958

FILED 21 April 1999

DIVISION

INVENTOR Richard C. Adams, D856

Barry R. Hunt, D7303

TITLE Device for Simultaneous
Transmission of Two Signals
with Identical Frequency

Attorney of Record

Harvey Fendelman
Michael A. Lagan
Peter A. Lipovsky
Eric James Whitwell

Disclosures received

Executed

License

Assignment RECORDED 21 APR 99

Assignor (ADAMS)

Reel 9905

Frame 0967

Application of Case No.

Parent of Case No.

ALLOWED

PATENT No. Date

NAVAL COMMAND, CONTROL AND OCEAN
SURVEILLANCE CENTER RDT&E DIVISION
NRAD 58703 (9-94)

RECEIVED

JUL 01 2003

NAVY CASE No. 79628

OFFICE OF PETITIONS

ACTIONS

Application Filed: 21 Apr 99
" Filed: 21 Apr 99
Initial Review: 26 Apr 99
RSTI Filed: 28 Apr 99
" returned: 17 May 99

INVENTOR

SERIAL NO.

09/295 958

TITLE

Device for Simultaneous Transmission
of Two Signals with Identical
Frequency

79628 Richard C. Adams et al.

DEPARTMENT OF THE NAVY

Exb. B

DOCKET SHEET FOR ATTORNEY LIPOVSKY



NAVY	INVENTOR	DATE	NAVY CASE	EVALUATION	SEARCH	SEARCH	SEARCH	AUTHORIZED				
CASE		DISCLOSURE	NUMBER	COMPLETED	REQUESTED	RECEIVED	COMPLETED	DATE	CAT	PRI	CLS	
NBR		RECEIVED	RECEIVED									

Cartagena E
 Bond J
 Bond J
 Booth N
 GARCIA G
 LOSEE J
 Bond J
 Pastore T
 Logan J
 Bond J
 Bond J
 Schlosser T
 Anderson R
 McCann J
 Stevenson W
 Russell S
 Russell S
 McKnight W
 Miller H
 Yano L
 Adams R
 Rast H
 Bellantoni E
 Adams R
 Hutchens C
 Bellantoni E

STATUTORY BAR CASES: (#)

RESPONSE DUE CASES:

74538	07/MAY/97	CORR.DRWGS.	SULLIVAN	Date Sent: / /	Date Rec'd: / /
75900	07/NOV/98	DRAWINGS	BOND	Date Sent: / /	Date Rec'd: / /
77655	06/FEB/99	DRAWINGS	BULLAT	Date Sent: / /	Date Rec'd: / /
77606	16/FEB/99	AMDT. (SSP-3)	ADAMS	Date Sent: 16/DEC/98	Date Rec'd: / /
77733	05/MAR/99	REPLY TO NOT. OF ABAN.	RUSSELL	Date Sent: / /	Date Rec'd: / /
77655	11/JUN/99	AMDT. (SSP-3)	BULLAT	Date Sent: 31/MAR/99	Date Rec'd: / /
75900	12/JUN/99	AMDT. (SSP-3)	BOND	Date Sent: / /	Date Rec'd: / /

ISSUE FEES DUE:

Exb. C

DOCKET SHEET FOR ATTORNEY: LIPOVSKY

77193 05/MAY/99 RUSSELL S Date Sent: / / Date Rec'd: / /

MAINTENANCE FEE DUE CASES: (Due Date is ABSOLUTE - not a 6 month warning)

73611	29/DEC/96	1	Date Sent: 02/JUL/96	Date Rec'd: / /
72604	05/OCT/97	1	Date Sent: / /	Date Rec'd: / /
74065	12/JAN/98	1	Date Sent: / /	Date Rec'd: / /
75295	20/JUN/98	1	Date Sent: / /	Date Rec'd: / /
74537	21/AUG/98	1	Date Sent: / /	Date Rec'd: / /
71243	21/NOV/98	2	Date Sent: / /	Date Rec'd: / /
69405	09/JAN/99	2	Date Sent: / /	Date Rec'd: / /
74190	11/JAN/99	1	Date Sent: / /	Date Rec'd: / /
73725	20/AUG/99	1	Date Sent: / /	Date Rec'd: / /
72327	12/SEP/99	1	Date Sent: / /	Date Rec'd: / /
69615	14/OCT/99	2	Date Sent: / /	Date Rec'd: / /
72329	16/OCT/99	1	Date Sent: / /	Date Rec'd: / /
72776	23/OCT/99	1	Date Sent: / /	Date Rec'd: / /

WORK COMPLETED:

77193	19/MAR/99	NEW FORMAL DRWGS.	RUSSELL	Date Rec'd: 23/MAR/99
77655	31/MAR/99	AMDT. (SSP-3)	BULLAT	Date Rec'd: / /

- CURRENT STATUS SUMMARY -

In Evaluation:	13
In Search....:	9
Authorized....:	4

26

- End of Report -

MEMO:



ATTORNEY DOCKET AND PRODUCTIVITY REPORT

MAY/99

DOCKET SHEET FOR ATTORNEY: LIP

NAVY CASE NBR	INVENTOR	DATE DISCLOSURE RECEIVED	NAVY CASE NUMBER RECEIVED	EVALUATION COMPLETED	SEARCH REQUESTED	SEARCH RECEIVED	SEARCH COMPLETED	AUTHORIZED DATE	CAT	PRI	CLS
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Cartagena E
 Bond J
 Bond J
 Booth N
 GARCIA G
 LOSEE J
 Bond J
 Pastore T
 Logan J
 Bond J
 Bond J
 Schlosser T
 Anderson R
 McCann J
 Stevenson W
 Russell S
 Russell S
 McKnight W
 Miller H
 Yano L
 Rast H
 Bellantoni E
 Hutchens C
 Bellantoni E

STATUTORY BAR CASES: (#)

RESPONSE DUE CASES:

74538	07/MAY/97	CORR.DRWGS.	SULLIVAN	Date Sent: / /	Date Rec'd: / /
75900	07/NOV/98	DRAWINGS	BOND	Date Sent: / /	Date Rec'd: / /
77655	06/FEB/99	DRAWINGS	BULLAT	Date Sent: / /	Date Rec'd: / /
77606	16/FEB/99	AMDT. (SSP-3)	ADAMS	Date Sent: 16/DEC/98	Date Rec'd: / /
77733	05/MAR/99	REPLY TO NOT. OF ABAN.	RUSSELL	Date Sent: 03/MAY/99	Date Rec'd: / /
75900	12/JUN/99	AMDT. (SSP-3)	BOND	Date Sent: 06/APR/99	Date Rec'd: / /
77655	06/JUL/99	AMDT. (SSP-3)	BULLAT	Date Sent: / /	Date Rec'd: / /

ISSUE FEES DUE:

Exb. D

DOCKET SHEET FOR ATTORNEY: LIPOVSKY

77193 05/MAY/99 RUSSELL S

Date Sent: 05/APR/99 Date Rec'd: / /

MAINTENANCE FEE DUE CASES: (Due Date is ABSOLUTE - not a 6 month warning)

73611	29/DEC/96	1	Date Sent: 02/JUL/96	Date Rec'd: / /
72604	05/OCT/97	1	Date Sent: / /	Date Rec'd: / /
74065	12/JAN/98	1	Date Sent: / /	Date Rec'd: / /
75295	20/JUN/98	1	Date Sent: / /	Date Rec'd: / /
74537	21/AUG/98	1	Date Sent: / /	Date Rec'd: / /
71243	21/NOV/98	2	Date Sent: / /	Date Rec'd: / /
69405	09/JAN/99	2	Date Sent: / /	Date Rec'd: / /
74190	11/JAN/99	1	Date Sent: / /	Date Rec'd: / /
73725	20/AUG/99	1	Date Sent: / /	Date Rec'd: / /
72327	12/SEP/99	1	Date Sent: / /	Date Rec'd: / /
69615	14/OCT/99	2	Date Sent: / /	Date Rec'd: / /
72329	16/OCT/99	1	Date Sent: / /	Date Rec'd: / /
72776	23/OCT/99	1	Date Sent: / /	Date Rec'd: / /
72326	14/NOV/99	1	Date Sent: / /	Date Rec'd: / /

WORK COMPLETED:

75900	06/APR/99	AMDT. (SSP-3)	BOND	Date Rec'd: / /
79439	21/APR/99	Application Mailed		Date Rec'd: / /
79628	21/APR/99	Application Mailed		Date Rec'd: / /

- CURRENT STATUS SUMMARY -

In Evaluation:	13
In Search.....	7
Authorized....	4

24

- End of Report -

MEMO:

JUN/99

DOCKET SHEET FOR ATTORNEY: LEVITSKY



NAVY	INVENTOR	DATE	NAVY CASE	EVALUATION	SEARCH	SEARCH	SEARCH	AUTHORIZED
CASE		DISCLOSURE	NUMBER	COMPLETED	REQUESTED	RECEIVED	COMPLETED	DATE
NBR		RECEIVED	RECEIVED					CAT PRI CLS

Cartagena E
Bond J
Bond J
Booth N
GARCIA G
Bond J
Pastore T
Logan J
Bond J
Bond J
Anderson R
McCann J
Stevenson W
Russell S
Russell S
McKnight W
Miller H
Yano L
Rast H
Bellantoni E
Hutchens C
Bellantoni E
Scheps R

STATUTORY BAR CASES: (#)

RESPONSE DUE CASES:

74538	07/MAY/97	CORR.DRWGS.	SULLIVAN	Date Sent: / /	Date Rec'd: / /
75900	07/NOV/98	DRAWINGS	BOND	Date Sent: / /	Date Rec'd: / /
77655	06/FEB/99	DRAWINGS	BULLAT	Date Sent: / /	Date Rec'd: / /
77606	16/FEB/99	AMDT. (SSP-3)	ADAMS	Date Sent: 16/DEC/98	Date Rec'd: / /
75900	12/JUN/99	AMDT. (SSP-3)	BOND	Date Sent: 06/APR/99	Date Rec'd: / /
79439	13/JUL/99	NOT. OF MSG. PARTS	ADAMS	Date Sent: / /	Date Rec'd: / /
75904	23/AUG/99	NEW FORM.DRWGS.	HANSEN	Date Sent: / /	Date Rec'd: / /
77655	26/AUG/99	AMDT. (SSP-3)	BULLAT	Date Sent: / /	Date Rec'd: / /
76188	27/AUG/99	AMDT. (SSP-3)	CRONYN	Date Sent: / /	Date Rec'd: / /
76188	27/AUG/99	DRAWINGS	CRONYN	Date Sent: / /	Date Rec'd: / /
77606	27/AUG/99	NOTICE OF APPEAL	ADAMS	Date Sent: / /	Date Rec'd: / /
77606	27/AUG/99	AMDT (SSP-3)	ADAMS	Date Sent: / /	Date Rec'd: / /

ISSUE FEES DUE:

Exb.E

DOCKET SHEET FOR ATTORNEY: LIPOVSKY

75904 23/AUG/99 HANSEN P

Date Sent: / / Date Rec'd: / /

MAINTENANCE FEE DUE CASES: (Due Date is ABSOLUTE - not a 6 month warning)

73611	29/DEC/96	1	Date Sent: 02/JUL/96	Date Rec'd: / /
72604	05/OCT/97	1	Date Sent: / /	Date Rec'd: / /
74065	12/JAN/98	1	Date Sent: / /	Date Rec'd: / /
75295	20/JUN/98	1	Date Sent: / /	Date Rec'd: / /
74537	21/AUG/98	1	Date Sent: / /	Date Rec'd: / /
71243	21/NOV/98	2	Date Sent: / /	Date Rec'd: / /
69405	09/JAN/99	2	Date Sent: / /	Date Rec'd: / /
74190	11/JAN/99	1	Date Sent: / /	Date Rec'd: / /
73725	20/AUG/99	1	Date Sent: / /	Date Rec'd: / /
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69615	14/OCT/99	2	Date Sent: / /	Date Rec'd: / /
72329	16/OCT/99	1	Date Sent: / /	Date Rec'd: / /
72776	23/OCT/99	1	Date Sent: / /	Date Rec'd: / /
72326	14/NOV/99	1	Date Sent: / /	Date Rec'd: / /
73846	04/DEC/99	1	Date Sent: / /	Date Rec'd: / /

WORK COMPLETED:

77733 03/MAY/99 REPLY TO NOT. OF ABAN. RUSSELL Date Rec'd: 06/MAY/99

CURRENT STATUS SUMMARY

In Evaluation:	11
In Search.....	7
Authorized.....	5

23

- End of Report -

MEMO:



DEPARTMENT OF THE NAVY
OFFICE OF THE GENERAL COUNSEL

OFFICE OF PATENT COUNSEL
SPACE AND NAVAL WARFARE
SYSTEM CENTER
D0012
53510 SILVERGATE AVE RM 103
SAN DIEGO, CA 92152-5765

5870:PAL:res
Ser D0012:059
N.C. 79628
09/295,958
4 May 00

From: Office of Patent Counsel, SPAWARSYSCEN SAN DIEGO, Code D0012
To: Commissioner of Patents and Trademarks, Office of Petitions, Washington DC-20231

Subj: PETITION UNDER 37 CFR 1.137(a)

Ref: (a) Notice of Abandonment under 37 CFR 1.53(f) or (g)

- Encl:
- (1) Transmittal Form (PTO/SB/21)
 - (2) Fee Transmittal for FY 2000 (PTO/SB/17)
 - (3) Petition Routing Slip (PTO/SB/69)
 - (4) Petition for Revival of an Application for Patent Abandoned Unavoidably under 37 CFR 1.137(a) (PTO/SB/61)
 - (5) Petition under 37 CFR 1.137(a) (continued)-(Grounds for Setting Aside Abandonment)
 - (6) Declaration of Petitioner by Peter A. Lipovsky
 - (7) Exhibit A - copy of front and back of Navy case card 79628
 - (8) Exhibit B - copy of front of file jacket 79628
 - (9) Exhibit C - copy of Attorney Docket and Productivity Report dated April 99
 - (10) Exhibit D - copy of Attorney Docket and Productivity Report dated May 99
 - (11) Exhibit E - copy of Attorney Docket and Productivity Report dated June 99
 - (12) Reply to Notice of Abandonment under 37 CFR 1.53 (f) or (g) (Declaration of Barry R. Hunt)
 - (13) Return copy of Notice of Abandonment under 37 CFR 1.53 (f) or (g)

1. Enclosures (1-13) are forwarded as a response to the Notice of Abandonment dated 18 April 2000.

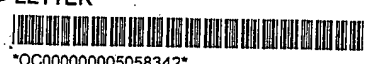
PETER A. LIPOVSKY
Registration No. 32,580

Exb. F



file:///c:/APPS/preexam/correspondence/2.htm
PAY

ABANDONMENT/TERMINATION
LETTER



OC000000005058342



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

BEST AVAILABLE COPY

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/295,958	04/21/1999	RICHARD C. ADAMS	79628

COMMANDING OFFICER
OFFICE OF PATENT COUNSEL
SPAWARSSYSCEN D0012
53510 SILVERGATE AVENUE ROOM 103
SAN DIEGO, CA 921525765

Date Mailed: 04/18/2000

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 05/13/1999.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

A copy of this notice MUST be returned with the reply.

RECEIVED
PATENT COUNSEL
2000 APR 26 A 6:27

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

encl. 13



NAVY CASE NO. 79628
SERIAL NO. 09/295,958
APPLICANT Richard C. Adams et al.

DEVICE FOR SIMULTANEOUS
TRANSMISSION OF TWO
SIGNALS WITH IDENTICAL
FREQUENCY

rs

Receipt of the following application papers is evidenced hereon by official stamp of the
U. S. Patent and Trademark Office:
Cover letter 5870:PAL:res Ser D0012:059 N.C. 79628 09/295,958 of
4 May 00
Transmittal Form (PTO/SB/21)
Fee Transmittal for FY 2000 (PTO/SB/17)
Petition Routing Slip (PTO/SB/69)
Petition for Revival of an Application for Patent Abandoned
Unavoidably under 37 CFR 1.137(a)
Petition under 37 CFR 1.137(a) (cont.) (Grounds Justifying
Setting Aside Abandonment)
Declaration of Petitioner
Exhibit A - copy of front and back of Navy case card 79628
Exhibit B - copy of front of file jacket 79628
Exhibit C - copy of Atty Docket & Prod. Report dtd April 99
Exhibit D - copy of Atty Docket & Prod. Report dtd May 99
Exhibit E - copy of Atty Docket & Prod. Report dtd June 99
Reply to Notice of Abandonment under 37 CFR 1.53 (f) or (g)
~~Declaration of Barry R. Hunt~~
~~NAVY 5870:PAL:res~~
Return copy of Notice of Abandonment under 37 CFR 1.53 (f) or (g)



Serial No. 09/295,958; Navy Case No. 79628

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
RICHARD C. ADAMS et al
Serial No.: 09/295,958
Filed: 21 April 1999

Examiner: XXXX
Group Art Unit: XXXX

For: DEVICE FOR SIMULTANEOUS TRANSMISSION OF TWO SIGNALS WITH
IDENTICAL FREQUENCIES

RECEIVED
JUL 01 2003
OFFICE OF PETITIONS

DECLARATION OF MS. JANE NUNEZ

Honorable Commissioner of Patent and Trademarks
Washington, D.C. 20231

I Jane Nunez declare:

- 1) That I am a Patent Assistant at the Office of Legal Counsel for Patents, Code 20012, SPAWAR Systems Center, San Diego and have been so since 20 May, 2002.
- 2) That I have personally conducted an examination of the case file pertaining to the above-referenced U.S. Patent Application Serial Number 09/295,958 that resides in my office. In this case file is a copy rather than original of a "Petition Under 37 CFR 1.137(a)" and copies of its accompanying Exhibits A-E. There is no evidence of the original in this file. In addition, I have noticed that the exterior of the file jacket indicates that this Petition to Revive was sent to the U.S. Patent Office on 8 May 2000. A copy of this case file jacket accompanies this Declaration as Exhibit G.
- 3) In May, 2003, I personally conducted a search of the electronic docket record pertaining to the above-referenced case and found that the case was indicated as abandoned. Upon Mr. Lipovsky's instruction, this "abandoned" designation has now been removed.
- 4) I have personally conducted a search of the case file pertaining to the above-referenced

Serial No. 09/295,958; Navy Case No. 79628

case and found no written authorization from Attorney of Record Mr. Peter Lipovsky that the case be treated as abandoned by our office. There is no other written record within this case file from any authorized practitioners representing the inventors of the above-referenced case that the case be treated as abandoned by our office.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

6-18-03

DATE

Jane Nunez
JANE NUNEZ

19 June 2003
Legal Counsel for Patents 20012
Attention: Mr. Peter A. Lipovsky
SPAWARSYSCEN, SAN DIEGO
53510 Silvergate Ave Rm 103B
San Diego, CA 92152-5765
(619) 553-3824

